

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 24, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-25872 - APPLICANT: DIVERSIFIED REALTY - OWNER: ESS PRISA, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. This Variance (V-0086-95) shall be reviewed in five (5) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. Only one advertising sign is permitted per sign face.
5. If the existing off-premise sign is voluntarily demolished, the Special Use Permit (U-0138-90) and Variance (V-0086-95) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a required Five Year Review of an approved Variance (V-0086-95) which allowed an existing Off-Premise Advertising (Billboard) Sign to be raised to a height of 55 feet; and to allow the sign to be 150 feet from a residential zoning district where 300 feet is the minimum separation required. The Variance (V-0086-95) served as the first required review for the Special Use Permit (U-0138-90), which allowed a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign.

The existing Off-Premise Advertising (Billboard) Sign remains in good condition and there have been no substantial changes in development in the immediate area since the last review was completed on 11/06/02. Therefore, staff recommends approval of this request with a five (5) year review.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
9/19/90	The City Council approved a request for a Special Use Permit (U-0138-90) for a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign.
9/20/95	The City Council approved a Variance (V-0086-95) to allow an existing Off-Premise Advertising (Billboard) Sign to be raised to a height of 55 feet; and to allow the sign to be a distance of 150 feet from a residential zoning district.
9/05/00	The Hearings Officer approved a Required Five Year Review of an approved Variance [V-0086-95(1)] that allowed an existing Off-Premise Advertising (Billboard) Sign to be raised to a height of 55 feet; and allowed the sign to be a distance of 150 feet from a residential zoning district.
11/06/02	The City Council approved a Required Two Year Review of an approved Variance [V-0086-95(2)] that allowed an existing Off-Premise Advertising (Billboard) Sign to be raised to a height of 55 feet; and allowed the sign to be a distance of 150 feet from a residential zoning district.
<i>Related Building Permits/Business Licenses</i>	
6/19/96	Building Permit #96012409 issued for a 672 square-foot Off-Premise Sign under Plan Check #L-1989-96.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

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Field Check	
12/14/07	<p>A filed check was performed by staff with the following observations:</p> <ul style="list-style-type: none"> • No discernable vandalism or graffiti visible from US-95, northbound or southbound. • Off-premise Advertising (Billboard) Sign appears to be in sound condition; however, bird-deterrent devices were not visible during inspection, thus unable to confirm presence.

Details of Application Request	
Site Area	
Net Acres	1.94 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Mini-Storage	SC (Service Commercial)	C-1 (Limited Commercial)
North	Private Recreational Facility	SC (Service Commercial)	C-1 (Limited Commercial)
South	Multi-Family Housing	M (Medium Density Residential)	R-PD12 (Residential Planned Development – 12 Units per Ace)
East	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Single Family Compact Lot)
West	ROW/US-95	ROW/US-95	ROW/US-95

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	NA
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District	X		Y
Trails			NA
Rural Preservation Overlay District			NA
Development Impact Notification Assessment			NA
Project of Regional Significance			NA

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DEVELOPMENT STANDARDS

<i>Standards</i>	<i>Title 19.14.100: Off-Premise Sign Requirements</i>	<i>Provided</i>	<i>Compliance</i>
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. Sign may not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not located within public ROW or the Exclusionary Zone	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (General Commercial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	672 SF	Y
Height	No higher than 40 feet from grade at the point of construction	55 feet	N*
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	660 feet to another Off Premise Sign	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	150 feet from residentially zoned property to the south.	N*
Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located within C-1 (Limited Commercial) Zoning District	Y

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**A Variance (V-0086-95) to allow an existing Off-Premise Advertising (Billboard) Sign to be raised to a height of 55 feet; and to allow the sign to be a distance of 150 feet from a residential zoning district was approved by the City Council.*

ANALYSIS

This is the third overall review of the subject Off-Premise Advertising (Billboard) Sign. The Off-Premise Advertising (Billboard) Sign is located in the parking lot of a mini-storage complex near US95 and Rainbow Boulevard. The initial approval for the Off-Premise Advertising (Billboard) Sign was granted under Special Use Permit (U-0138-90). A Variance (V-0086-96) request to allow the approved existing Off-Premise Advertising (Billboard) Sign to be raised to a height of 55 feet and be located within 150 feet from a residential zoning district was approved by City Council and served as the Two Year Required Review. Conditions of approval for the previous Required Reviews required the graffiti to be removed and to ensure that the Off-Premise Advertising (Billboard) Sign remains graffiti free. The subject Off-Premise Advertising (Billboard) Sign is in good condition and does not pose a risk to the public health or general welfare.

FINDINGS

The subject Off-Premise Advertising (Billboard) Sign is in good condition and does not pose a risk to the public health or general welfare. Therefore, staff recommends approval of this request with a five (5) year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 349

APPROVALS 0

PROTESTS 3